

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DZHOKHAR TSARNAEV

No. 13-cr-10200-GAO

FILED UNDER SEAL

**DEFENDANT DZHOKHAR TSARNAEV'S MOTION
FOR RECUSAL AND FOR DISCLOSURE**

On behalf of Dzhokhar Tsarnaev, we move that this Court: (i) recuse itself; and (ii) if it declines to do so on the basis of the record currently available to the defense, disclose the dates, circumstances, and substance of all public comments that Your Honor has made about this case, as well as the dates, circumstances, and substance of all ex parte communications with the jurors, pursuant to 28 U.S.C. §§ 455(a) and 455(e), the Fifth Amendment's Due Process Clause, and the Eighth Amendment's Cruel and Unusual Punishments Clause. The reasons for the motion are set forth in the accompanying memorandum of law and exhibits.

Respectfully submitted,

DZHOKHAR TSARNAEV

by his attorneys:

/s/ Deirdre von Dornum

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Certification Pursuant to D. Mass. Local Rule 7.1

Pursuant to D. Mass Local Rule 7.1(a)(2), I certify that counsel for Mr. Tsarnaev has conferred with counsel for the government and attempted in good faith to resolve or narrow the issue. The government opposes the motion.

/s/ Deirdre von Dornum

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Certificate of Service

I hereby certify that this document and the accompanying memorandum of law and exhibits will be served by email on counsel for the government on **September 3, 2024**.

/s/ Deirdre von Dornum

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